

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:28 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 375. An act for the relief of Margarita Domantay.

H.R. 1949. An act for the relief of Nuratu Olarewaju Abeke Kadiri.

H.R. 3035. An act to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

H.R. 3069. An act to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council.

H.R. 3097. An act to terminate the Internal Revenue Code of 1986.

H.R. 3156. An act to present a congressional gold medal to Nelson Rolihlahla Mandela.

H.R. 3796. An act to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

H.R. 3824. An act amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 1847) to improve the criminal law relating to fraud against consumers.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1847. An act to improve the criminal law relating to fraud against consumers.

S. 1900. An act to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

At 12:37 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of the con-

ference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for the elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 375. An act for the relief of Margarita Domantay; to the Committee on the Judiciary.

H.R. 1949. An act for the relief of Nuratu Olarewaju Abeke Kadiri; to the Committee on the Judiciary.

H.R. 3069. An act to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council; to the Committee on Indian Affairs.

H.R. 3097. An act to terminate the Internal Revenue Code of 1986; to the Committee on Finance.

H.R. 3796. An act to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction of improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times, and placed on the calendar:

H.R. 3035. An act to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on June 18, 1998, he had presented to the President of the United States, the following enrolled bill:

S. 1900. An act to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-5570. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Amend-

ments to Rules of Practice and Procedure" received on June 12, 1998; to the Committee on Finance.

EC-5571. A communication from the Secretary of Energy, transmitting, pursuant to law, the report on fissile materials in the former Soviet Union for fiscal year 1997; to the Committee on Armed Services.

EC-5572. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's annual report for fiscal year 1997; to the Committee on Energy and Natural Resources.

EC-5573. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "License Term for Medical Use Licenses" (RIN3150-AF77) received on June 15, 1998; to the Committee on Environment and Public Works.

EC-5574. A communication from the Secretary of State and the Secretary of Defense, transmitting, pursuant to law, a report on plans to enhance coalition interoperability in the face of chemical or biological weapon threats; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-481. A resolution adopted by the Senate of the Legislature of the State of Alaska relative to compensation of Holocaust victims by the Swiss banking industry; to the Committee on Foreign Relations.

POM-482. A resolution adopted by the National Association of the Physically Handicapped, Inc. (Okemos, Michigan) relative to physician-assisted suicide; to the Committee on Labor and Human Resources.

POM-483. A resolution adopted by the National Association of the Physically Handicapped, Inc. (Okemos, Michigan) relative to non-profit hospital sales; to the Committee on Labor and Human Resources.

POM-484. A resolution adopted by the National Association of the Physically Handicapped, Inc. (Okemos, Michigan) relative to community health care; to the Committee on Labor and Human Resources.

POM-485. A joint resolution adopted by Legislature of the State of Tennessee; to the Committee on Commerce, Science, and Transportation.

SENATE JOINT RESOLUTION No. 712

Whereas, This General Assembly acknowledges the importance and emerging dependence of business, government and society on the Internet as a growing part of our system of communications and commerce; and

Whereas, The members of this legislative body also recognize that the Internet as a medium of free speech contains, in addition to its many salutary features, potential dangers for society and especially our youth, in that it can provide uncontrolled and instantaneous access to obscenity, child pornography and other adult-oriented materials that are harmful to youth; and

Whereas, In 1996, Congress attempted to place restrictions on the Internet to curb these dangers by the passage of the Communications Decency Act of 1996, which was declared unconstitutional in part by the United States Supreme Court in the case of *Reno v. ACLU*; and

Whereas, The Internet is in a developing stage and software developments and other market forces may eventually allow Internet providers to provide clean Internet services

or products that will protect children from the harms of the Internet and permit users to block out offensive materials and services without compromising the beneficial aspects of the Internet; and

Whereas, The technology currently exists to more readily control these problems by the use of designated top-level domain site for web sites that contain pornographic and adult-oriented materials and services which if employed will expedite and facilitate the development of clean Internet materials and services by the lawful classification of web sites; and

Whereas, In October of this year, the United States Department of Commerce plans to set up a private not-for-profit corporation whose directors will create five new top-level domains that will register web sites by subject type; and

Whereas, A federal requirement that an adult-oriented domain site be created and that all adult-oriented web sites be registered to such domain would greatly aid Internet users, parents and teachers in shielding America's youth from the harms of pornography and adult-oriented materials and services that are available and proliferating on the Internet; and

Whereas, The states are somewhat limited in the regulation they can provide in this area because of the federal Commerce Clause; and

Whereas, Congress and the Executive Branch are the appropriate governmental branches to provide leadership in this area and may lawfully act to resolve quickly this issue in a responsible manner that comports with the ideals of the First Amendment; now, therefore, be it

Resolved by the Senate of the One-hundredth General Assembly of the State of Tennessee, the House of Representatives Concurring, That this Body hereby urges the United States Congress to establish and maintain a uniform resource locator system that contains a top-level domain for all Internet web sites providing pornographic or adult-oriented materials or services so as to facilitate and assist Internet users, services providers and software developers to manage the problem of uncontrolled access to obscenity, child pornography and other adult-oriented materials and services via Internet. Be it

Further Resolved, That this Body respectfully urges the President and Vice President of the United States and the Secretary of the Department of Commerce to use their offices and considerable influence to bring about the aims of this resolution by the means of executive order or department regulation, or the promotion of federal regulation, as they deem appropriate. Be it

Further Resolved, That the Clerk of the Senate deliver enrolled copies of this resolution to each member of the Tennessee delegation, to the United States Senate and the United States House of Representatives, to the Chairman of the United States Senate Commerce, Science and Transportation Committee and the United States House Commerce Committee, and to the President and Vice President of the United States and the Secretary of the United States Department of Commerce.

POM-486. A joint resolution adopted by the Legislature of the State of Tennessee; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 525

Whereas, House Resolution No. 2912 of the 105th U.S. Congress was introduced in 1997 to reinstate payments under Medicare for home health services relating to venipuncture for the express purpose of obtaining blood samples; and

Whereas, the legislation also requires the Secretary of the Department of Health and

Human Services to study potential fraud and abuse under the Medicare program with respect to such services; and

Whereas, the Department of Health and Human Services study calls for an examination of critical aspects of the Medicare program as it pertains to venipuncture services, along with the cost to beneficiaries if payment under the Medicare program is prohibited for such home health services; and

Whereas, the Department is also directed under the legislation to determine the costs to states through the potentially increased use of personal care services and nursing home placements as a result of Medicare not covering venipuncture procedures; and

Whereas, such services are vitally important in the diagnosis and treatment of many catastrophic illnesses, which if left undetected will result in increased future Medicare expenditures; and

Whereas, as citizens of this country continue to be unreasonably burdened by spiraling medical costs, the availability of adequate medical care is critical to their well-being; and it is incumbent upon the members of this Legislative Body to express our unflagging support for this significant legislation; now, therefore, be it

Resolved by the House of Representatives of the One-hundredth General Assembly of the State of Tennessee, the Senate Concurring, That this General Assembly hereby memorializes the U.S. Congress to act expeditiously to enact the Medicare Venipuncture Fairness Act. Be it

Further Resolved, That this General Assembly memorializes each member of the U.S. Congress from Tennessee to utilize the full measure of his or her influence to effect the enactment of the Medicare Venipuncture Fairness Act. Be it

Further Resolved, That the Chief Clerk of the House of Representatives is directed to transmit a certified copy of this resolution to the Honorable Bill Clinton, President of the United States; the President and the Secretary of the U.S. Senate; the Speaker and the Clerk of the U.S. House of Representatives; and to each member of the Tennessee delegation to the U.S. Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. NICKLES:

S. 2187. A bill to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any consumer who seeks to purchase electric energy in interstate commerce from any supplier; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI (for himself, Mr. INOUE, Mr. AKAKA, and Mr. STEVENS):

S. 2188. A bill to amend section 203(b) of the National Housing Act relating to the calculation of downpayments; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Mr. BURNS):

S. 2189. A bill to amend the Federal Water Pollution Control Act to authorize the use of State revolving loan funds for construction of water conservation and quality improvements; to the Committee on Environment and Public Works.

By Mr. KENNEDY (for himself, Mr. DOMENICI, Mr. KERRY, and Mr. BINGAMAN):

S. 2190. A bill to authorize qualified organizations to provide technical assistance and capacity building services to microenterprise development organizations and programs and to disadvantaged entrepreneurs using funds from the Community Development Financial Institutions Fund, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY:

S. 2191. A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 2192. A bill to make certain technical corrections to the Trademark Act of 1946; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. LEAHY):

S. 2193. A bill to implement the provisions of the Trademark Law Treaty; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN (for himself and Mr. ABRAHAM):

S. Res. 251. A resolution to congratulate the Detroit Red Wings on winning the 1998 National Hockey League Stanley Cup Championship and proving themselves to be one of the best teams in NHL history; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NICKLES:

S. 2187. A bill to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any consumer who seeks to purchase electric energy in interstate commerce from any supplier; to the Committee on Energy and Natural Resources.

THE ELECTRIC CONSUMER CHOICE ACT

Mr. NICKLES. Mr. President, I rise today to introduce the Electric Consumer Choice Act. For the last two years hearings and workshops have been held in both the House and Senate examining the issue of restructuring the electric industry. Many bills have been introduced on this issue by both Congressmen and Senators, some comprehensive and some dealing with more discreet issues such as repeal of the Public Utility Holding Company (PUHCA) or repeal of the Public Utility Regulatory Policies Act of 1978 (PURPA). The bill that I am introducing today cuts to the heart of the issue: do we or don't we support allowing consumers to choose their electric supplier? Do we or don't we support a national competitive market in electricity? I believe the answer to these questions is a resounding "yes"! This Congress believes competition is good, that free markets work and that every American will benefit from a competitive electric industry.